

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-against-

KATE SPENCER and ZIV BITON
Defendant.

**JOINT MOTION FOR
PRE-SENTENCE PAYMENTS**

Criminal Action No.
23-CR-145 (HG)

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The United States of America, by and through Breon Peace, United States Attorney for the Eastern District of New York, and Daniel G. Saavedra, Assistant United States Attorney for the Eastern District of New York, and defendant Ziv Biton (“Defendant”), pursuant to 28 U.S.C. §§ 2041 and 2042, jointly move this Court for an order directing the Clerk of the Court to accept pre-sentence payments from Defendant Ziv Biton in satisfaction of Defendant’s criminal restitution obligation.

On or about December 19, 2023, Defendant executed a plea agreement agreeing to plead guilty to Counts One and Two of the above-captioned indictment, Conspiracy to Commit Wire and Bank Fraud in violation of 18 U.S.C. § 1349 and Conspiracy to Launder Money in violation of 18 U.S.C. § 1956(h). On December 20, 2023, the Court accepted Defendant’s guilty plea. *See* Docket Sheet, Minute Entry dated December 20, 2023.

Pursuant to the plea agreement, Defendant agreed to mandatory restitution in the amount of \$207,5000.00. Defendant has offered to satisfy his criminal restitution obligation with payments made at or before sentencing. Pursuant to 28 U.S.C. § 2041, the Clerk of Court is authorized to accept and hold such funds on behalf of the Defendant until the time of sentencing.

Payments shall be made to the Clerk of the Court, United States District Court, 225 Cadman Plaza East, Brooklyn, N.Y. 11201. The payment instrument shall reference the case name and number, as set forth above.


Accordingly, pursuant to 28 U.S.C. § 2042, the United States requests an order that upon the entry of a criminal judgment in this case, the Clerk of the Court is to withdraw and apply the deposited funds in satisfaction of the criminal restitution obligation imposed against the Defendant.

WHEREFORE, the Government and Defendant jointly move this Court for an order directing the Clerk of the Court to accept pre-sentence payments to be held on deposit until sentencing, and thereafter apply those funds, as provided by law and in accordance with the Clerk's standard operating procedures, in satisfaction of the criminal restitution obligation imposed against the Defendant.

Dated: Brooklyn, New York
January 17, 2024

BREON PEACE
United States Attorney
Eastern District of New York
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By:

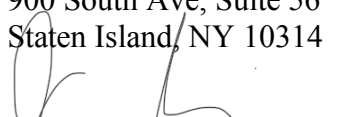


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Dated: Staten Island, New York
January 16, 2024

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By:


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